

2  
3  
GENERAL ORDINANCE NO. G- 23-89

4  
5  
AN ORDINANCE amending Sec. 2-44.2(a) of  
6  
Chapter 2 of the City Code of Fort  
7  
Wayne, Indiana.

8  
9  
WHEREAS, Sec. 2-44.2 of Chapter 2 of the City Code  
10  
currently provides for a fifty dollar (\$50.00) filing fee to  
11  
be paid by those individuals seeking to have an area  
12  
designated as an economic revitalization area;

13  
14  
WHEREAS, said fee is inadequate to compensate for the  
15  
staff time required to process such requests;

16  
17  
WHEREAS, a sliding fee scale based on project cost  
18  
would be appropriate;

19  
20  
NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF  
21  
THE CITY OF FORT WAYNE, INDIANA:

22  
23  
SECTION 1. Sec. 2-44.2.(a) of Chapter 2 of the City  
24  
Code of Fort Wayne, Indiana, is hereby amended to read as  
25  
follows:

- 26  
27  
a) A person who desires designation of an area  
28  
as an economic revitalization area, as  
29  
defined in I.C. 6-1.1-12.1-1(1), shall file  
30  
a petition at the office of the Department  
31  
of Economic Development and pay a filing fee  
32  
according to the following Schedule:

<u>PROJECT COST</u>	<u>FEE</u>
\$ to 250,000	\$ 500
\$250,001 to 1,000,000	\$ 700
\$1,000,001 and over	\$1,000

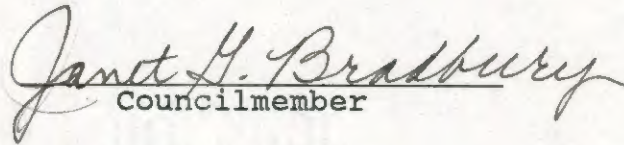
33  
34  
However, no filing fee shall be  
35  
required for an owner-occupied, single  
36  
family project.

37  
38  
SECTION 2. That the revised filing fee schedule shall  
39  
apply to all petitions filed after November 1, 1989.

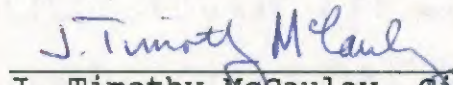


PAGE TWO

SECTION 3. That this ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

  
Councilmember

APPROVED AS TO FORM  
AND LEGALITY

  
J. Timothy McCaulay, City Attorney



Read the first time in full and on motion by Bradbury, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, 19\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATED: 10-10-89.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury, seconded by Henry, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
TOTAL VOTES	<u>8</u>	<u>1</u>		
BRADBURY	<u>✓</u>			
BURNS	<u>✓</u>			
EDMONDS	<u>✓</u>			
GIAQUINTA	<u>✓</u>			
HENRY	<u>✓</u>			
LONG	<u>✓</u>			
REDD	<u>✓</u>			
SCHMIDT		<u>✓</u>		
TALARICO	<u>✓</u>			

DATED: 10-24-89.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. G-23-89. on the 24th day of October, 1989.

Sandra E. Kennedy ATTEST  
SANDRA E. KENNEDY, CITY CLERK

SEAL  
Charles S. Reed  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of October, 1989, at the hour of 11:30 o'clock P. M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 30th day of October, 1989, at the hour of 3:00 o'clock P. M., E.S.T.

Paul Helmke  
PAUL HELMKE, MAYOR



ning matters pertaining to the  
the city waterworks, the city  
sanitary and storm sewers. All  
concerning these subjects shall be  
committee for its recommendation.  
ilities committee shall maintain  
perintendent of the city utilities  
works on all matters pertaining

on committee shall consider and  
erning the annexation of territory  
of corporate boundaries. All ordi-  
ncerning these subjects shall be  
committee for recommendation.  
tion committee shall maintain liai-  
mission with regard to annexation

nts and state legislation. The ad-  
id state legislation committee shall  
rdinances, resolutions and matters  
of any other standing committee,  
h, civil defense, aviation, parks,  
gs and property, humane affairs,  
office and the city clerk's office.  
ments and state legislation com-  
sible for actively prosecuting the  
y matters of state legislation. The  
ee shall maintain liaison with the

blic relations committee shall con-  
atters pertaining to publicity and  
cil and recommend ways and means  
nformed of its activities. (1-2-56,  
1; Ord. No. G-06-77, § 1, 2-22-77)

matters.

before the council which does not  
ovince of a standing committee, as

prescribed in section 2-42 may be assigned to such of the  
committees as the council may determine, or to a special  
committee if the committee be deemed appropriate by the  
council.

(b) When a subject is referred to a standing committee or  
a special committee, the member introducing the subject  
shall be a member of such committee during its deliberation  
thereon, but, as such, shall have no right to vote. He shall  
be notified by the chairman of such committee of the time  
and place of meeting of the committee. (1-2-56, art. 5, § 3)

#### Sec. 2-44. Reports.

All reports from committees shall be made in writing,  
giving the title and bill number thereof, and must be signed  
by a majority of the members thereof; and all committees  
shall return all ordinances, resolutions and papers referred  
to them and report upon such material to the common  
council not later than the second regular meeting night after  
the material is so referred; provided, that the council may,  
at its discretion, extend the time for making such reports.  
(1-2-56, art. 5, § 4)

### DIVISION 6. DESIGNATING ECONOMIC REVITALIZATION AREAS\*

#### Sec. 2-44.1. Reserved.

#### Sec. 2-44.2. Procedure.

(a) A person who desires designation of an area as an economic  
revitalization area, as defined at IC 6-1.1-12.1-1(1), shall file a  
petition at the office of the department of economic development  
and pay a filing fee of fifty dollars (\$50.00); provided, however,

\*Editor's note—Res. No. R-80-79, § 1, enacted Dec. 11, 1979, amended the  
Code by adding Div. 6, "Designating Urban Development Areas," but did not  
specify a section number; thus, inclusion as § 2-44.1 was at the editor's discretion.  
Ord. No. G-26-83, § 3, repealed § 2-44.1. Section 1 of said ordinance added a §  
2-44.2. The editor has included § 2 thereof as the last paragraph of § 2-44.2.



## EXHIBITS

The following exhibits must be attached to the application for it to be considered complete.

1. Legal description of property.
2. Check for application fee (see table below) to be made payable to the City of Fort Wayne.

<u>Project Cost</u>	<u>Fee</u>
\$0 to 250,000	\$ 500
\$250,001 to 1,000,000	\$ 750
\$1,000,001 and over	\$1,000

3. Owner's Certificate (if applicant is not the owner of property to be designated).



that no filing fee shall be required for an owner-occupied, single-family project.

(b) The petition shall be of a form provided by the department of economic development. Said form shall require the applicant to provide either:

- (1) Maps and plats that identify the proposed economic revitalization area, or
- (2) A simplified description of the boundaries of the proposed economic revitalization area describing its location in relation to public ways, streams, or otherwise.
- (c) On receipt of such petition, the department of economic development shall:

- (1) Note the date of filing on the petition and record the date in the records of the department;
- (2) Forward the petition to the law department with a request for the preparation of a declaratory resolution for consideration by the common council, designating the area described in the petition as an economic revitalization area.
- (d) The law department shall prepare a declaratory resolution and forward the petition and said resolution to the city clerk, who shall include the same in the new business portion of the agenda of common council at its next regular meeting. The petition shall constitute a communication under Municipal Code section 2-18(e)(6).

(e) The city clerk shall establish and apply to such bill, resolutions and petitions, a system of numbering corresponding to that prescribed by Municipal Code section 2-31, using the prefix (D).

(f) Upon introduction of the declaratory resolution, the same shall be eligible for passage on the same date as introduced, subject to the following procedure:

- (1) Upon adoption of the resolution, said resolution shall be filed with the Allen County assessor;
- (2) Pursuant to IC 6-1.1-12.1-15(c) said resolution shall be referred to the committee on finance and shall also be referred to the department of economic development request-

ing a recommendation from said department concerning the advisability of designating the area an economic revitalization area;

- (3) Publish notice in accordance with IC 5-3-1 of the adoption and substance of the resolution and setting the resolution for public hearing;
- (4) If the proposed resolution involves an area that has already been designated an allocation area under IC 36-7-14-39 then the proposed resolution shall be referred to the Fort Wayne Redevelopment Commission and shall not be approved unless said commission adopts a resolution approving the petition;
- (5) Upon receipt of the written recommendation from the department of economic development, action by the committee on finance, receipt of resolution from the Fort Wayne Redevelopment Commission if necessary, and after the public hearing provided for herein, the common council shall take final action on said declaratory resolution by either confirming, modifying and confirming, or rescinding said resolution.

(g) The City of Fort Wayne has all the powers for designating economic revitalization areas contained in IC 6-1.1-12.1-1 et seq. Ord. No. G-26-83, §§ 1, 2, 9-27-83)

Cross references—Development commission, § 2-56; department of redevelopment, § 2-59.

## ARTICLE III. BOARD OF PUBLIC WORKS\*

### DIVISION 1. GENERALLY

#### Sec. 2-45. Annual financial statement generally.

The board of public works of the city is required to file with the common council for public inspection not later than

\*Editor's note—With the adoption of G-03-84 on Feb. 14, 1984, the boards of public works and public safety were merged. See § 1-12.2 hereof.

Cross references—Board of public works created, § 2-2; special requirements for utility bond issuance ordinances, § 2-39.2; sewers, Ch. 24; water, Ch. 31.

State law reference—Board of public works generally, IC 1971, §§ 18-1-6-14-18-1-6-19.



DIGEST SHEET

TITLE OF ORDINANCE GENERAL ORDINANCE

9-89-10-13

DEPARTMENT REQUESTING ORDINANCE ECONOMIC DEVELOPMENT

SYNOPSIS OF ORDINANCE CHANGE IN TAX ABATEMENT FEE STRUCTURE RESULTING

IN FEE INCREASE:

EFFECT OF PASSAGE WILL RESULT IN A MORE ACCURATE APPLICATION FEE

STRUCTURE WHICH ADEQUATELY COVERS ADMTNISTRATIVE AND PROCESSING  
COSTS: ALSO THE NEW PROPOSED FEE STRUCTURE WILL RESULT IN AN  
INCREASED CONTRIBUTION TO THE GENERAL FUND.  
EFFECT OF NON-PASSAGE OPPOSITE OF ABOVE

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS)

ASSIGNED TO COMMITTEE (PRESIDENT)

BILL NO. G-89-10-13

REPORT OF THE COMMITTEE ON REGULATIONS

JANET G. BRADBURY, CHAIRPERSON  
DAVID C. LONG, VICE CHAIRMAN  
EDMONDS, SCHMIDT, TALARICO

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS  
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending Sec. 2-44.2(a)  
of Chapter 2 of the City Code of Fort Wayne

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

*David C. Long*  
*Edmonds*  
*Clitus R. Edmonds*  
*Samuel Talarico*

DATED: 10-24-85.

Sandra E. Kennedy  
City Clerk